

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WELLS FARGO BANK, N.A., Trustee of the
Registered holders of J.P. Morgan Chase
Commercial Mortgage Securities Corp.,
Commercial Pass-Through Certificates, Series
2004-C3,

Plaintiff,

v.

WALNUT EQUITY PARTNERS, LLC,
TURNPIKE EQUITY PARTNERS, LLC,
MILL EQUITY PARTNERS, LLC
NORTHWOODS EQUITY PARTNERS, LLC,
and GREAT EQUITY PARTNERS, LLC

Defendants.

Civil Action No. 10-cv-10287

RECEIVER'S FINAL REQUEST FOR APPROVAL OF COMPENSATION

John C. Ottenberg, Court Appointed Receiver of the properties of the defendants, Walnut Equity Partners, LLC, et al., moves for approval by the Court of the payment of invoices to his firm for the period March 1, 2012 through to the approval of his final account. Copies of those invoices are annexed hereto.

By Order dated October 26, 2010, this Court approved a procedure for the payment of interim compensation to the Receiver. That procedure provided that the Receiver would submit his monthly invoices to counsel of record. The Receiver was authorized to pay to himself those portions of the invoices to which no objection was made. Subsequently, the bills would be submitted to the Court for its review and approval.

The Receiver did submit the attached invoices for the period March 1, 2012 through August 31, 2012 on a monthly basis to counsel of record. No objections were made to any items on those invoices, and they have been paid in full.

The Receiver requests that this Court approve the payment of these invoices. These invoices include charges not only for the services of the Receiver, but legal services rendered by his firm to the Receivership estate.



John C. Ottenberg, Receiver (BBO #380955)
Ottenberg & Dunkless LLP
101 Arch Street
Boston, MA 02110
617-342-8600
ottenberg@odllp.com

October 23, 2012

CERTIFICATE OF SERVICE

I, John C. Ottenberg, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on October 23, 2012.



John C. Ottenberg

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OTTENBERG & DUNKLESS LLP

101 ARCH STREET
 BOSTON, MA 02110
 617-342-8600

Invoice submitted to:

John C. Ottenberg
 Receiver of Walnut Equity
 Partners, LLC, et. al.
 101 Arch Street
 Boston, MA 02110

April 03, 2012

Invoice # 13505

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
3/1/2012 JCO	Emails with S. Boyden re: BioProcess; review file; demand to tenant; exchange of emails; review notice from Southborough	0.75 325.00/hr	243.75
3/2/2012 JCO	Email with P. Bourrassa re: ATB hearing; various emails with S. Boyden re: BioProcess; review file; email to H. Levine; email to Potpourri	1.25 325.00/hr	406.25
3/5/2012 JCO	Review email; review file material	0.25 325.00/hr	81.25
3/6/2012 RCD	Conference with J. Ottenberg re: miscellaneous close-out issues	0.25 325.00/hr	81.25

John C. Ottenberg

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		<u>Hrs/Rate</u>	<u>Amount</u>
3/6/2012 JCO	Prepare for conference call; review files; prepare list of points; conference call with C-III; revise Potpourri documents; email with P. Sampson; conference with R. Dunkless; telephone conference with K. Leung	2.75 325.00/hr	893.75
3/9/2012 JCO	Emails with S. Boyden; J. Chilson	0.25 325.00/hr	81.25
3/12/2012 JCO	Exchange of emails; review file Biochemics	0.25 325.00/hr	81.25
3/14/2012 JCO	Attention to Danvers abatement issues; review file; telephone conference with P. Biggs; email directions; telephone conference with buyers on Danvers; email with insurance agent; review Autonomy file; exchange of numerous emails	1.75 325.00/hr	568.75
3/15/2012 JCO	Exchange of emails	0.25 325.00/hr	81.25
3/16/2012 JCO	Authorize transfer of money; emails re: insurance; title transfer; Biochemics; review Biochemics file	1.00 325.00/hr	325.00
3/19/2012 JCO	Telephone conference with L. Venditti; exchange of emails re: Biochemics lease; review and approve bills	1.00 325.00/hr	325.00
3/20/2012 JCO	Numerous telephone calls and emails re: Biochemics lease; review history of dealings; emails re: Bioprocess; review Buzz Tech. file	1.50 325.00/hr	487.50
3/21/2012 JCO	Exchange of emails re: Biochemics	0.25 325.00/hr	81.25
3/22/2012 JCO	Telephone conference with S. Boyden; J. Chilson; review documents	0.50 325.00/hr	162.50
3/23/2012 JCO	Telephone conference with S. Boyden; review and approve bills	0.50 325.00/hr	162.50

John C. Ottenberg

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		<u>Hrs/Rate</u>	<u>Amount</u>
3/26/2012 JCO	Exchange of emails re: abatement; Biochemics	0.25 325.00/hr	81.25
3/27/2012 JCO	Attention to finalizing Biochemics lease; telephone conference with P. Bigg re: abatement	1.25 325.00/hr	406.25
3/30/2012 JCO	Telephone conference with H. Kara; emails re: bill; abatement; review file	0.50 325.00/hr	162.50
For professional services rendered		14.50	\$4,712.50
Additional Charges :			
		<u>Qty/Price</u>	
1/18/2012 JCO	Marathon Courier Service	1 7.00	7.00
1/19/2012 JCO	Marathon Courier Service	1 14.00	14.00
Total costs			\$21.00
Total amount of this bill			\$4,733.50
Previous balance			\$9,587.50
3/22/2012	Payment - thank you. Check No. 2002		(\$4,155.95)
3/30/2012	Payment - thank you. Check No. 2021		(\$820.63)
3/30/2012	Payment - thank you. Check No. 2038		(\$438.75)
3/30/2012	Payment - thank you. Check No. 2067		(\$621.56)
3/30/2012	Payment - thank you. Check No. 2053		(\$1,088.75)
3/30/2012	Payment - thank you. Check No. 2083		(\$1,962.18)
3/30/2012	Payment - thank you. Check No. 2073		(\$499.69)
Total payments and adjustments			(\$9,587.51)

John C. Ottenberg

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Amount

Balance due

\$4,733.49

OTTENBERG & DUNKLESS LLP
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Invoice submitted to:

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 Receiver of Walnut Equity
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 101 Arch Street
 Boston, MA 02110

May 03, 2012

Invoice # 13535

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
4/2/2012	JCO Draft complaint on Bioprocess; exchange of emails; revise complaint	2.00 325.00/hr	650.00
4/3/2012	JCO Attention to Biochem lease; review account statement; emails	0.50 325.00/hr	162.50
4/4/2012	JCO E-mail communications regarding Bioprocess account; Biochem plan; invoice; attention to abatement issue	0.50 325.00/hr	162.50
4/5/2012	JCO Telephone conference with S. Boyden; B. Boathurst; attend to Danvers abatement issues; letters of credit; consideration to closing issues	1.25 325.00/hr	406.25
4/6/2012	JCO Draft quarterly report; request for interim comp.; telephone conference with Bourassa's office; draft letter; revise complaint; Bioprocess; exchange of emails	2.25 325.00/hr	731.25

John C. Ottenberg

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		<u>Hrs/Rate</u>	<u>Amount</u>
4/9/2012	JCO Revise quarterly report; motion for interim comp.; telephone conference with S. Boyden, R. Gotshall re: Biochemics T.I.; exchange of emails	1.00 325.00/hr	325.00
4/11/2012	JCO Telephone conference with S. Boyden re: quarterly financials; Bioprocess; review last quarter; emails	0.50 325.00/hr	162.50
4/12/2012	JCO Telephone conference with broker re: Biochemics; revise letter on Bioprocess; exchange of various emails; emails re: abatement	1.00 325.00/hr	325.00
4/13/2012	RCD Review lease document; conference with J. Ottenberg	0.25 325.00/hr	81.25
	JCO Review and forward Biochemic lease; exchange of emails	0.25 325.00/hr	81.25
4/17/2012	JCO Telephone conference with attorney for BioPharm	0.25 325.00/hr	81.25
4/18/2012	JCO Review and consideration to accounting; review Universal Hospital file; telephone conference with S. Boyden re: Danvers	1.00 325.00/hr	325.00
4/19/2012	JCO Conference with Colliers re: accounting; revisions to account; quarterly report; telephone conference with A. Pearlstein	1.25 325.00/hr	406.25
4/20/2012	JCO Review financials; finalize quarterly report and motion to approve fees	0.50 325.00/hr	162.50
4/23/2012	JCO Review invoices; exchange emails; review and forward abatement decision	0.50 325.00/hr	162.50
4/24/2012	JCO Telephone conference with R. Gotshall re: Biochemics	0.25 325.00/hr	81.25

John C. Ottenberg

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		<u>Hrs/Rate</u>	<u>Amount</u>
4/25/2012 JCO	Review latest on Biochemics; telephone conference with R. Gotshall; exchange of emails	0.50 325.00/hr	162.50
4/26/2012 JCO	Telephone conference with S. Boyden, R. Gotshall; exchange of emails; review file materials	0.50 325.00/hr	162.50
4/27/2012 JCO	Revise Biochemic lease; telephone conference with S. Boyden; exchange of emails; further revise lease	1.00 325.00/hr	325.00
4/30/2012 JCO	Emails with J. Vacca; B. Boathurst	0.25 325.00/hr	81.25
	For professional services rendered	<u>15.50</u>	<u>\$5,037.50</u>
	Previous balance		\$4,733.49
	Balance due		<u><u>\$9,770.99</u></u>

OTTENBERG & DUNKLESS LLP
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 617-342-8600

Invoice submitted to:

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 101 Arch Street
 Boston, MA 02110

June 07, 2012

Invoice # 13574

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
5/1/2012 JCO	Exchange of emails	0.25 325.00/hr	81.25
5/2/2012 JCO	Exchange of emails	0.25 325.00/hr	81.25
5/3/2012 JCO	Telephone conference with S. Boyden	0.25 325.00/hr	81.25
5/4/2012 JCO	Exchange of emails	0.25 325.00/hr	81.25
5/7/2012 JCO	Exchange of emails re: BioChemics deal; review appraisal on Danvers; analysis of abatement issues; exchange of emails	1.50 325.00/hr	487.50

John C. Ottenberg

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		<u>Hrs/Rate</u>	<u>Amount</u>
5/8/2012	JCO Negotiations on settlement of abatement on Danvers; telephone conference with agent; review documents	0.75 325.00/hr	243.75
5/14/2012	JCO Review BioChemics lease; email to broker	0.25 325.00/hr	81.25
5/16/2012	JCO Telephone conference with A. Pearlstein	0.25 325.00/hr	81.25
5/24/2012	JCO Review and forward Danvers abatement materials; telephone conference with broker on Biochemics; exchange of various emails; approve bills	1.00 325.00/hr	325.00
	For professional services rendered	4.75	\$1,543.75
	Previous balance		\$9,770.99
5/16/2012	Payment - thank you. Check No. 29		(\$568.02)
5/16/2012	Payment - thank you. Check No. 26		(\$852.03)
5/16/2012	Payment - thank you. Check No. 14		(\$1,467.37)
5/16/2012	Payment - thank you. Check No. 30		(\$568.02)
5/16/2012	Payment - thank you. Check No. 2139		(\$1,278.05)
	Total payments and adjustments		(\$4,733.49)
	Balance due		\$6,581.25

OTTENBERG & DUNKLESS LLP

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Invoice submitted to:

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 Boston, MA 02110

July 05, 2012

Invoice # 13601

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
6/14/2012 RCD	Conference with J. Ottenberg re: lease	0.25 325.00/hr	81.25
JCO	Review files re: abatement applications on Chelmsford and others; email to J. Chilson and K. Augustyn	1.00 325.00/hr	325.00
6/21/2012 JCO	Emails re: LCC status; analysis of consequences	0.50 325.00/hr	162.50
6/22/2012 JCO	E-mail with P. Sampson; A. Pearlstein	0.25 325.00/hr	81.25
6/28/2012 JCO	Review files; identify issues to close receivership; meet with E. Lowney and S. Boyden	2.50 325.00/hr	812.50
6/29/2012 JCO	Review files; extract original documents for transfer	2.00 325.00/hr	650.00

John C. Ottenberg

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	6.50	\$2,112.50
Previous balance		\$6,581.25
Balance due		<u>\$8,693.75</u>

OTTENBERG & DUNKLESS LLP

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Invoice submitted to:

John C. Ottenberg
 Receiver of Walnut Equity
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 101 Arch Street
 Boston, MA 02110

August 08, 2012

Invoice # 13631

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
7/3/2012	JCO Draft letter to S. Boyden; telephone conference with A. Pearlstein	0.25 325.00/hr	81.25
7/5/2012	JCO Review bills	0.50 325.00/hr	162.50
7/6/2012	JCO Review bills; email to Stacy	0.50 325.00/hr	162.50
7/11/2012	JCO Telephone conference with P. Sampson	0.25 325.00/hr	81.25
7/12/2012	JCO E-mail to Colliers re: final account	0.25 325.00/hr	81.25
7/20/2012	JCO Review quarterly finances; email with S. Boyden	0.25 325.00/hr	81.25

John C. Ottenberg

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	<u>Hrs/Rate</u>	<u>Amount</u>
7/30/2012 JCO Telephone conference with S. Boyden	0.25 325.00/hr	81.25
For professional services rendered	2.25	\$731.25
Previous balance		\$8,693.75
7/6/2012 Payment - thank you. Check No. 2164		(\$6,581.25)
7/30/2012 Payment - thank you. Check No. 2191		(\$2,112.50)
Total payments and adjustments		(\$8,693.75)
Balance due		\$731.25

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Invoice submitted to:

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 101 Arch Street
 Boston, MA 02110

September 07, 2012

Invoice # 13656

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
8/1/2012 JCO	Draft final report; quarterly report and motion for compensation; various emails	3.00 325.00/hr	975.00
8/2/2012 JCO	Revise final report and related documents	0.75 325.00/hr	243.75
8/6/2012 JCO	Telephone conference with attorney for purchaser of Danvers	0.25 325.00/hr	81.25
8/9/2012 JCO	Review financials from Colliers	0.25 325.00/hr	81.25
8/13/2012 JCO	Review and file quarterly report	0.25 325.00/hr	81.25
8/16/2012 RCD	Telephone conference with tenant	0.25 325.00/hr	81.25

John C. Ottenberg

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	<u>Hrs/Rate</u>	<u>Amount</u>
8/30/2012 JCO Telephone conference with S. Boyden; reivew leases; draft letter	0.50 325.00/hr	162.50
8/31/2012 JCO Draft letter to Liberty Mutual; review file materials	0.50 325.00/hr	162.50
For professional services rendered	5.75	\$1,868.75
Previous balance		\$731.25
8/22/2012 Payment - thank you. Check No. 133906		(\$1,543.75)
Total payments and adjustments		(\$1,543.75)
Balance due		<u>\$1,056.25</u>